

Arizona Coalition Against Domestic Violence

www.azcadv.org

Legislative Priorities 2012:

*Legislation passed in Arizona
pertaining to domestic violence*





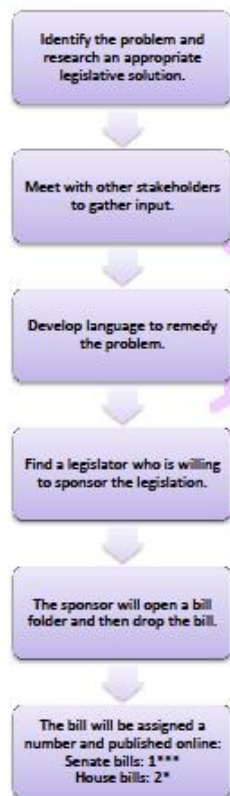
Outline

- Review of how a bill becomes a law
- Review legislation that was introduced/passed in 2012
- Looking forward – priorities for the 2013 legislative session
- How to engage in the legislative process
- Questions

Legislative Process

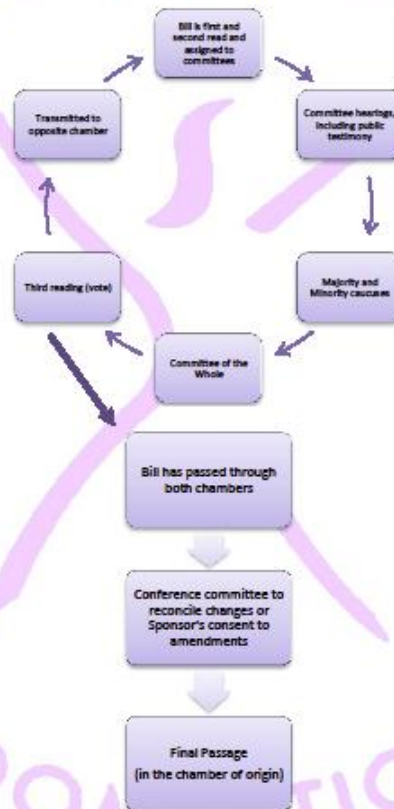
Development Stage

As an individual or organization, you may recognize a need for legislative change on a specific issue. Here are the steps to consider when beginning the legislative advocacy process.



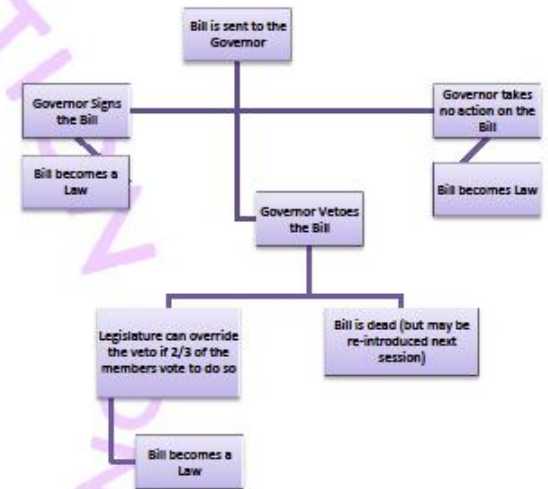
Legislative Stage

An introduced bill must go through a number of steps and pass each one in both the House and Senate. A bill can be held, amended, or fail at any stage of this process.



Executive Stage

If the bill receives enough votes to pass in Final Read, it is sent to the Governor. If the Governor signs the bill into law, it will take effect 90 days after the legislature adjourns.



A Quick Review...

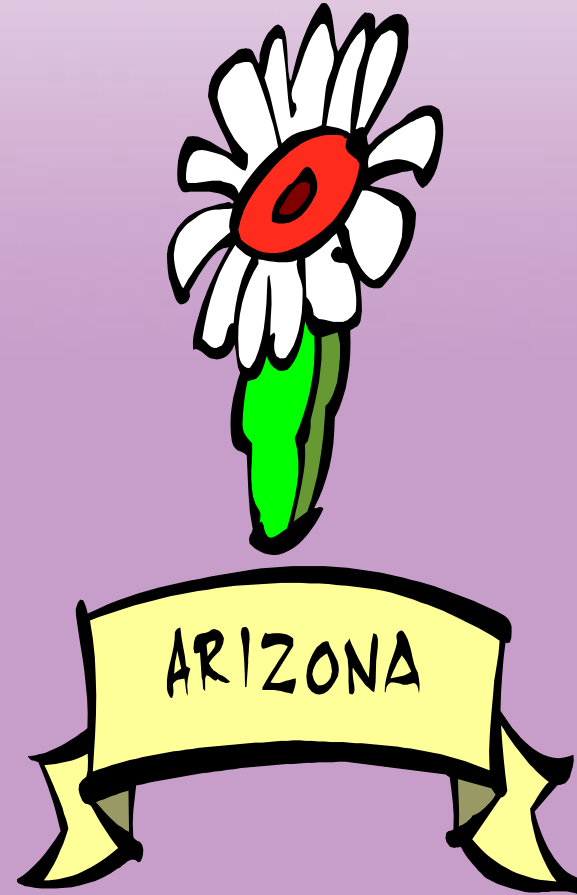
3 branches of Government:

- **Executive**
(President/Governor)
- **Legislative**
(House & Senate)
- **Judicial**
(Court)



Arizona Government

- 30 Districts
 - Equal in population
- House of Representatives
 - 60 Members
 - 40 Republicans
 - 20 Democrats
- Senate
 - 30 Members
 - 21 Republicans
 - 9 Democrats



Leadership in the Legislature

- House of Representatives

- Speaker of the House- Tobin
- Majority Leader- Court
- Majority Whip- Lesko
- Speaker Pro Tempore- Montenegro
- Minority Leader/Assistant Leader- Campbell/Farley
- Minority Whip- Tovar



- Senate

- Senate President- Pierce
- Majority Leader- Biggs
- Majority Whip- Antenori
- President Pro Tempore- Allen
- Minority Leader/Assistant Leader- Schapira/Landrum Taylor
- Minority Whip- Aboud

Legislative Session

- 2 year terms
- Begins on second Monday in January, every year
- Ends ~100 days later
- Special sessions





Laws

Arizona Law

State Legislature

Arizona Revised Statutes

- 49 Titles (subjects: Criminal Code)
- Chapters (Chapter 36: Family Offenses)
- Articles (13-3601. Domestic violence; definition; classification; sentencing option; arrest and procedure for violation; weapon seizure)
- Language of the law (A. "Domestic violence" means...)

Format Document - Windows Internet Explorer

http://www.azleg.gov/FormatDocument.asp?inDoc=/ars/13/03601.htm&Title=13&DocType=ARS

Format Document

Arizona State Legislature

Bill Number Search:

Fiftieth Legislature - First Regular Session

change session | printer friendly version

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ARS TITLE PAGE | NEXT DOCUMENT | PREVIOUS DOCUMENT

13-3601. Domestic violence; definition; classification; sentencing option; arrest and procedure for violation; weapon seizure

A. "Domestic violence" means any act that is a dangerous crime against children as defined in section 13-705 or an offense prescribed in section 13-1102, 13-1103, 13-1104, 13-1105, 13-1201, 13-1202, 13-1203, 13-1204, 13-1302, 13-1303, 13-1304, 13-1406, 13-1502, 13-1503, 13-1504, 13-1602 or 13-2810, section 13-2904, subsection A, paragraph 1, 2, 3 or 6, section 13-2910, subsection A, paragraph 8 or 9, section 13-2915, subsection A, paragraph 3 or section 13-2916, 13-2921, 13-2921.01, 13-2923, 13-3019, 13-3601.02 or 13-3623, if any of the following applies:

1. The relationship between the victim and the defendant is one of marriage or former marriage or of persons residing or having resided in the same household.
2. The victim and the defendant have a child in common.
3. The victim or the defendant is pregnant by the other party.
4. The victim is related to the defendant or the defendant's spouse by blood or court order as a parent, grandparent, child, grandchild, brother or sister or by marriage as a parent-in-law, grandparent-in-law, stepparent, step-grandparent, stepchild, step-grandchild, brother-in-law or sister-in-law.

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Review

How are laws made?

- Is there a problem with the current law?
- Is a change in law the best way to fix it?
 - Is there a better way to solve the problem?
 - Someone (organization, lobbyist, YOU!) comes up with a way to fix the problem

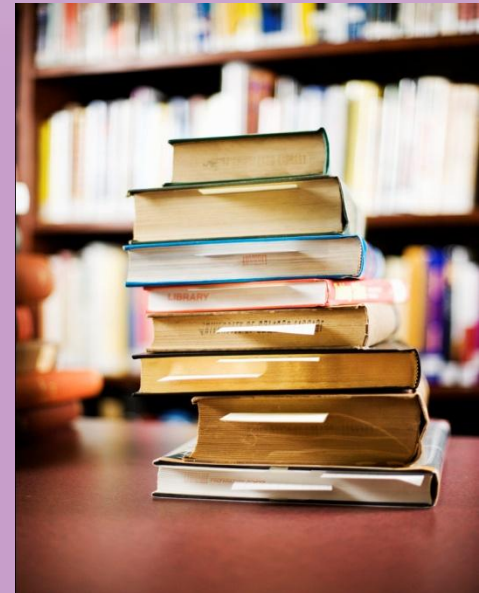


Review, continued

How a Bill Becomes a Law

Do some research:

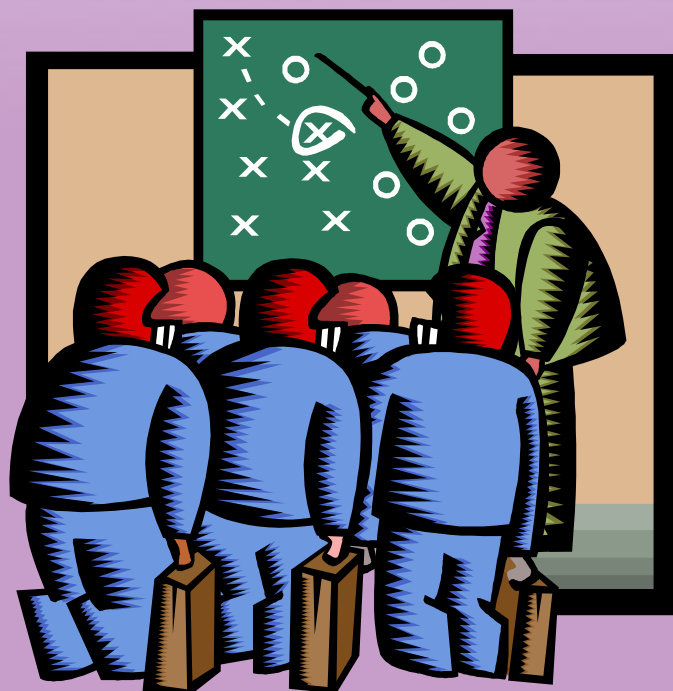
- Other states
- Model codes
- Best language
- Unintended consequences
- Stakeholders



Review, continued

How a Bill Becomes a Law

- How involved will you be?
- Spread the word!
- Perfect your “elevator speech”
- Track your bills
 - ALIS (www.alis.azleg.gov)



Review, continued

How a Bill Becomes a Law

The bill is “read” on the floor and then assigned to committee(s) by the Speaker of the House or the Senate President.

- Rules Committee
- Judiciary, etc.



Review, continued

How a Bill Becomes a Law

Committee hearings

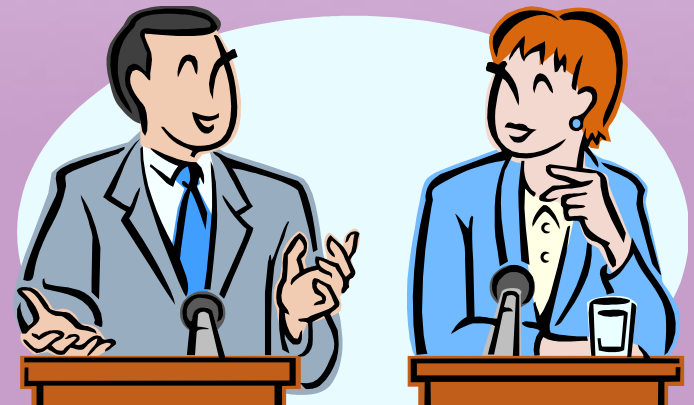
- Chairperson decides
- Public testimony
- Amendments
- Vote
 - Do Pass
 - Hold
 - Failed to Pass



Review, continued

How a Bill Becomes a Law

- Caucus
- Committee of the Whole
- Debate and discussion
- Third Read (vote)
- Transmitted to other chamber

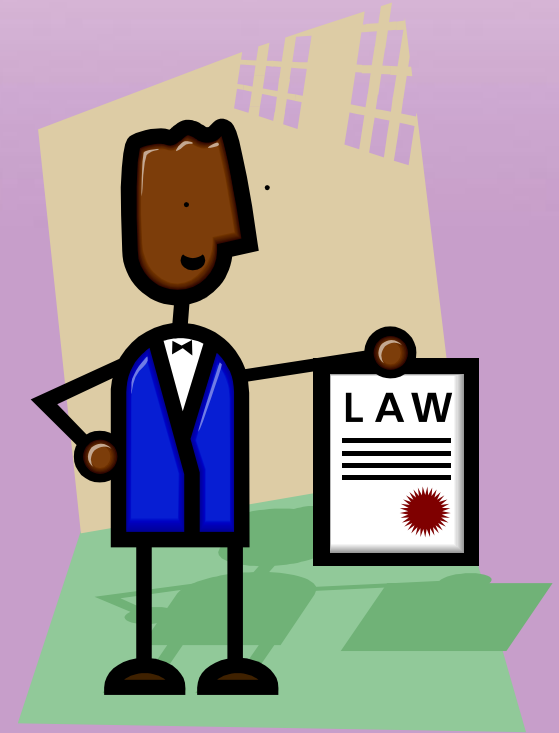


Review, continued

How a Bill Becomes a Law

- Committees
- Caucus
- Committee of the Whole
- Third Reading

...Then, back to the original chamber.



Review, continued

How a Bill Becomes a Law

If the bill changed in the other chamber, the House or Senate votes to keep the changes or creates a conference committee.

No agreement? No pass!



Review, continued

How a Bill Becomes a Law

The bill receives a final vote on the floor. If it passes, it's sent to the Governor for action.

- Sign into law
- Veto (Lege can override)
- Not sign, becomes law



SB 1127 (parenting time; domestic relations; decision-making)

- SB 1248 (domestic relations; parenting time; decision-making)
- SB 1127 (child custody; factors)
- Changes to child custody statute
 - “custody” changed to “legal decision-making”
 - “visitation” still known as “parenting time”
 - Technical changes
 - Goal to maximize parenting time when appropriate

SB 1248 (domestic relations; parenting time; decision-making)

- Made changes to the definition of custody
- Added language about coercive control to statute
- Defined legal decision-making

A faded background image showing the faces of a family: a man, a woman, and two children, all smiling.

SB 1127 (child custody; factors)

- What this legislation would have done
 - WHETHER A FALSE ALLEGATION OF DOMESTIC VIOLENCE OR CHILD ABUSE PURSUANT TO SECTION 25-403.03 HAS BEEN MADE BY ONE PARENT AGAINST ANOTHER IN ORDER TO CAUSE AN UNNECESSARY DELAY, TO INCREASE THE COST OF LITIGATION OR TO PERSUADE THE COURT TO GIVE CUSTODY PREFERENCE TO ONE PARENT.

SB 1127 (parenting time; domestic relations; decision-making)

- Language was amended to be more equitable and not targeted to specific groups. SB 1248 language was amended onto this bill.
 - “WHETHER ONE PARENT INTENTIONALLY MISLED THE COURT TO CAUSE AN UNNECESSARY DELAY, TO INCREASE THE COST OF LITIGATION OR TO PERSUADE THE COURT TO GIVE A LEGAL DECISION-MAKING OR A PARENTING TIME PREFERENCE TO THAT PARENT.”
- Passed and signed by the Governor
- Effective on Dec. 31st, 2012.

HB 2549 (electronic; digital devices; stalking; threatening)

- Updated the current stalking statute to include new forms of technology such as:
 - Text messages
 - E-mails
 - Internet
 - GPS

SB 1369 (crime victim advocates; privileged communications)

- ***Strengthens privileged communication between a crime victim advocate and a victim and broadens the definition of crime victim advocate***

HB 2742 (murder; domestic violence; inheritance)

- Closed a loophole in legislation that could allow a person who commits domestic violence homicide to still profit from the death.

SB 1213 (transition programs; qualifications)

- Makes a correction to the law and prohibits an inmate convicted of a domestic violence offense from eligibility in the Arizona Department of Corrections (ADC) transition program.



Victims rights legislation

- HB 2556 (criminal restitution order)
- HB 2558 (victim restitution; civil actions)
- HB 2559 (victim's rights; courtroom posting)



Priorities for 2013

- 2013 legislative survey
 - Child custody
 - Predominant Aggressor
 - Orders of Protection
 - Supervised Visitation
- Budget Advocacy
 - TANF Backfill



Engaging in the legislative process

- Know your district/know your legislators
 - <http://azredistricting.org>
 - <http://azsos.gov>
 - <http://azleg.gov>
- Vote – Election day is November 6th!
- Build relationships with your legislators
 - Write/e-mail them
 - Call their offices
 - Set up personal meetings with legislators



Engaging in the legislative process

- Tracking legislation/ALIS
 - <http://azleg.gov>
- Giving public testimony
 - Request to speak system
- Find advocacy groups that track legislation



Engaging in the legislative process

- Creating your own bill
 - See a law that needs to be changed/improved
 - Talking with stakeholders on the best way to change the law
 - Find a legislator to sponsor your bill
 - Follow your bills progress and advocate for it

Activity



Thanks!

For Further Information:

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